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ADVANCEMENT OF WOMEN

Report of the Third Committee

Rapporteur: Ms. Victoria SANDRU (Romania)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the item entitled "Advancement of women" and to allocate it to the Third Committee.

2. The Third Committee considered the item jointly with item 104 at its 13th to 18th, 29th and 35th meetings, on 24 and 25 and from 28 to 30 October and on 8 and 13 November 1996, and took action on the item at its 40th, 42nd and 46th meetings, on 15, 18 and 20 November. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.3/51/SR.13-18, 29, 35, 40, 42 and 46).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Relevant sections of the report of the Economic and Social Council (A/51/3 (Parts I-III));[1]

[1] To be issued in final form as Official Records of the General Assembly, Fifty-first Session, Supplement No. 3 (A/51/3/Rev.1).

(b) Report of the Committee on the Elimination of Discrimination against Women;[1]

(c) Report of the Secretary-General on the Convention on the Elimination of All Forms of Discrimination against Women (A/51/277 and Corr.1);

(d) Report of the Secretary-General on the improvement of the status of women in the Secretariat (A/51/304 and Corr.1);

(e) Report of the Secretary-General on the traffic in women and girls (A/51/309);

(f) Report of the Secretary-General on violence against women migrant workers (A/51/325);

(g) Note by the Secretary-General transmitting the comments of the Administrative Committee on Coordination on the report of the Joint Inspection Unit (A/50/509) entitled "The advancement of women through and in the programmes of the United Nations system: what happens after the Fourth World Conference on Women?" (A/51/180);

(h) Note by the Secretary-General transmitting the report of the Administrator of the United Nations Development Programme on the activities of the United Nations Development Fund for Women (A/51/391);

(i) Letter dated 27 March 1996 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General, transmitting a communiqué issued by the Regional Conference on Migration, held at Puebla, Mexico, on 13 and 14 March 1996 (A/51/90);

(j) Letter dated 28 May 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General, transmitting the results of the 95th Conference of the Inter-Parliamentary Union, held at Istanbul from 12 to 20 April 1996 (A/51/210);

(k) Letter dated 4 October 1996 from the Permanent Representative of Costa Rica to the United Nations addressed to the Secretary-General, transmitting the text of the declaration adopted by the Ministers for Foreign Affairs of the Group of 77 and China at their twentieth annual meeting, held in New York on 27 September 1996 (A/51/471);

(l) Letter dated 30 September 1996 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General, transmitting the communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegation to the fifty-first session of the General Assembly, held in New York on 25 September 1996 (A/51/473-S/1996/839).

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[1] Official Records of the General Assembly, Fifty-first Session, Supplement No. 38 (A/51/38).

4. At the 13th meeting, on 24 October, introductory statements were made by the Special Adviser to the Secretary-General on Gender Issues, the Assistant Secretary-General for Human Resources Management and the Director of the Division for the Advancement of Women of the Department for Policy Coordination and Sustainable Development (see A/C.3/51/SR.13).

5. At the same meeting, the Director of the United Nations Development Fund for Women and the acting Director of the International Research and Training Institute for the Advancement of Women addressed the Committee (see A/C.3/51/SR.13).

A. Draft resolution A/C.3/51/L.17 and Rev.1

6. At the 35th meeting, on 13 November, the representative of the Philippines, on behalf of Argentina, Bangladesh, Costa Rica, Côte d'Ivoire, the Dominican Republic, El Salvador, Guinea-Bissau, the Marshall Islands, the Philippines and Portugal, introduced a draft resolution entitled "Violence against women migrant workers" (A/C.3/51/L.17), which read:

"The General Assembly,

"Recalling all previous resolutions on violence against women migrant workers adopted by the General Assembly, the Commission on the Status of Women and the Commission on Human Rights, as well as the Declaration on the Elimination of Violence against Women,[3]

"Affirming the conclusions of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women, specifically as they pertain to women migrant workers,

"Taking note of the section concerning women migrant workers in the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[4] as well as the report of the Subcommission's Working Group on Contemporary Forms of Slavery,[5] in particular its observations on the treatment of migrant workers,

"Conscious of the great importance given to the promotion and protection of the human rights of persons belonging to groups which have been rendered vulnerable, including migrant workers, the elimination of all forms of discrimination against them, and the strengthening and more effective implementation of existing human rights instruments,

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[3] Resolution 48/104.

[4] A/51/301.

[5] E/CN.4/Sub.2/1995/28 and Add.1.

"Noting the large numbers of women from developing countries and from some countries in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of poverty, unemployment and other socio-economic conditions, and acknowledging the duty of sending States to work for conditions that provide employment and security to their citizens,

"Acknowledging the economic benefits that accrue to sending and receiving States from the employment of women migrant workers,

"Concerned by the continuing reports of grave abuses and acts of violence committed against the persons of women migrant workers by some employers in some host countries,

"Encouraged by some measures adopted by some receiving States to alleviate the plight of women migrant workers residing within their areas of jurisdiction,

"Reiterating that acts of violence directed against women impair or nullify their enjoyment of their human rights and fundamental freedoms,

"1. Takes note of the report of the Secretary-General on violence against women migrant workers;[6]

"2. Welcomes, with appreciation, the holding of an expert group meeting on violence against women migrant workers at Manila from 27 to 31 May 1996;

"3. Determines to prevent and eliminate all forms of violence against women and girls;

"4. Encourages Member States to enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society;

"5. Also encourages Member States to adopt and/or implement and periodically to review and analyse legislation to ensure its effectiveness in eliminating violence against women, emphasizing the prevention of violence and the prosecution of offenders, and to take measures to ensure the protection of women subjected to violence and their access to just and effective remedies, including compensation and indemnification and healing of victims, and measures for the rehabilitation of perpetrators;

"6. Invites Member States to consider adopting appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers;

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[6] A/51/325.

"7. Reiterates the need for States concerned, specifically the sending and receiving States of women migrant workers, to conduct regular consultations for the purpose of identifying problem areas in promoting and protecting the rights of women migrant workers and ensuring health, legal and social services for them, adopting specific measures to address those problems, setting up, as necessary, linguistically and culturally accessible services and mechanisms to implement those measures and, in general, creating conditions that foster greater harmony and tolerance between women migrant workers and the rest of the society in which they reside;

"8. Encourages Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[7] as well as the Slavery Convention of 1926;[8]

"9. Requests the United Nations High Commissioner for Human Rights, the Centre for Human Rights of the Secretariat and the Special Rapporteur, as well as all relevant bodies and programmes in the United Nations system, when addressing the issue of violence against women, to give particular attention to the issue of violence perpetrated against women migrant workers and to submit reports thereon to the General Assembly;

"10. Emphasizes the need for accurate and comprehensive information as a basis for policy formulation;

"11. Draws the attention of Governments, relevant United Nations organizations and bodies and intergovernmental and non-governmental organizations to the indicators of violence and vulnerability, the indicative list of data on the general characteristics of women migrant workers and the methods of data collection contained in the report of the Secretary-General,[9] for use as a possible guide in the collection and organization of data which could serve as a basis for policy formation on the question, and requests the Commission on the Status of Women to consider that information at its regular session in March 1997, with a view to improving or refining it if necessary;

"12. Draws attention to the recommendation of the Expert Group Meeting on Violence against Women Migrant Workers that the Administrative Committee on Coordination should serve as the focal point within the United Nations system responsible for effectively coordinating initiatives relating to violence against women migrant workers,[10] and requests the comments and

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[7] Resolution 45/158, annex.

[8] See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.94.XIV.1 (vol. I, Part I)).

[9] See A/51/325, annex, sect. III.

[10] Ibid., para. 70.

recommendation thereon of the Commission on the Status of Women when it convenes in March 1997;

"13. Also draws attention to the statement of the Secretary-General contained in his report that a message was sent by the Special Rapporteur of the Commission on Human Rights on violence against women which affirmed that violence was a fundamental issue of women's human rights, and that an analysis of the rights of women migrant workers was essential for the protection of those rights;[11]

"14. Invites the regional commissions and the regional offices of the International Labour Organization to examine ways and means, within existing resources, of dealing with concerns pertaining to women migrant workers;

"15. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution."

7. At its 42nd meeting, on 18 November, the Committee had before it a revised draft resolution (A/C.3/51/L.17/Rev.1), submitted by the sponsors of draft resolution A/C.3/51/L.17 and Belgium, Ecuador, Guatemala, Pakistan, Peru, the former Yugoslav Republic of Macedonia and Zambia. Subsequently, Egypt, Fiji, Kyrgyzstan, Sri Lanka and Uruguay joined in sponsoring the revised draft resolution.

8. At the same meeting, the representative of the Philippines orally revised the text of the revised draft resolution, as follows:

(a) In the sixth preambular paragraph, the words "inter alia" were inserted between the words "as a consequence of" and the words "poverty, unemployment and other socio-economic conditions";

(b) In operative paragraph 4, the words "and their access to just and effective remedies, including compensation, indemnification and healing of victims, and measures for the rehabilitation of perpetrators" were replaced by the words "and that they have access to just and effective remedies, including compensation and indemnification, and healing of victims, and for the rehabilitation of perpetrators";

(c) In operative paragraph 8, the words "on violence against women" were inserted after the words "Special Rapporteur of the Commission on Human Rights";

(d) Operative paragraph 11 was deleted;

(e) In operative paragraph 12 (former paragraph 13), the words "from all organizations and bodies in the United Nations system" were replaced by the words "from all authorities and bodies in the United Nations system".

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[11] Ibid., sect. II.B.

9. Also at the same meeting, the Committee adopted draft resolution A/C.3/51/L.17/Rev.1, as orally revised (see para. 25, draft resolution I).

B. Draft resolution A/C.3/51/L.18 and Rev.1

10. At the 35th meeting, on 13 November, the representative of the Philippines, on behalf of Argentina, Bangladesh, Costa Rica, Côte d'Ivoire, Denmark, the Dominican Republic, Finland, France, Guinea-Bissau, Indonesia, the Marshall Islands, Mongolia, Nicaragua, Panama, the Philippines and South Africa, introduced a draft resolution entitled "Traffic in women and girls" (A/C.3/51/L.18), which read:

"The General Assembly,

"Reaffirming the principles set forth in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenants on Human Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the Declaration on the Elimination of Violence against Women and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,

"Recalling all previous resolutions on the problem of the traffic in women and girls,

"Affirming the provisions of the outcome of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders pertaining to the traffic in women and children,

"Welcoming the recommendations of the Special Rapporteur of the Commission on Human Rights on violence against women, on the traffic in women and girls included in his report to the Commission,[17]

"Acknowledging the work done by intergovernmental and non-governmental organizations in compiling information on the scale and complexity of the problem of trafficking, in providing shelters for trafficked women and children and in effecting their voluntary repatriation to their countries of origin,

"Noting with concern the increasing number of women and girl children from developing countries and from some countries with economies in transition who are being victimized by traffickers, and acknowledging that the problem of trafficking also victimizes young boys,

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[17] E/CN.4/1996/53 and Add.1 and 2.

"Convinced of the need to eliminate all forms of sexual violence and sexual trafficking, including for prostitution and other forms of commercial sex, which are violations of the human rights of women and girl children and are incompatible with the dignity and worth of the human person,

"Realizing the urgent need for the adoption of effective measures nationally, regionally and internationally to protect women and girl children from this nefarious traffic,

"1. Notes with appreciation the report of the Secretary-General on the traffic in women and girls;[1]

"2. Welcomes the convening of the World Congress against Commercial Sexual Exploitation of Children held at Stockholm from 27 to 31 August 1996;

"3. Calls upon Governments of countries of origin, transit and destination, and regional and international organizations, as appropriate, to implement the Platform for Action of the Fourth World Conference on Women by:

"(a) Considering the ratification and enforcement of international conventions on trafficking in persons and on slavery;

"(b) Taking appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing the perpetrators, through both criminal and civil measures;

"(c) Stepping up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;

"(d) Allocating resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance, and confidential health care and taking measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;

"(e) Developing educational and training programmes and policies and considering enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children;

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[1] A/51/309.

"4. Invites Governments to accord standard minimum humanitarian treatment to trafficked persons, consistent with human rights standards;

"5. Invites the United Nations to formulate a manual for the training of personnel who receive and/or hold in temporary custody victims of gender-based violence, including trafficking, with a view to preventing the exacerbation of post-traumatic stress suffered by such victims. In the preparation of the manual, the International Research and Training Institute for the Advancement of Women, with the cooperation and assistance of relevant United Nations agencies and non-governmental organizations, in particular those organizations concerned with traumatic stress studies, should examine available research material or studies on the subject with the view to incorporating them in the manual;

"6. Requests funding for the above-mentioned manual from the trust fund within the United Nations Development Fund for Women established by the General Assembly in its resolution 50/166 of 22 December 1995 in support of national, regional and international action to eliminate violence against women, and invites Governments and the civil society to make voluntary contributions for the project through the trust fund;

"7. Calls upon all Governments to criminalize trafficking in women and girls in all its forms and condemn and penalize all those offenders involved, whether their offence was committed in their own or in a foreign country, while ensuring that the victims of these practices are not penalized, and to adopt appropriate sanctions against persons in authority found guilty of sexually assaulting trafficking victims in their custody;

"8. Urges Governments concerned to support comprehensive practical approaches by the international community to assist women and children victims of transnational trafficking to return home and be reintegrated in their home societies;

"9. Invites relevant intergovernmental and non-governmental organizations to provide advisory services to Governments, upon their request, in planning and setting up rehabilitation programmes for victims of trafficking and in training personnel who will be directly involved in the implementation of these programmes;

"10. Encourages Governments, institutions and non-governmental organizations to take preventive and assistance measures, including by establishing helplines to enable trafficking victims, or potential victims, to seek assistance and to provide targeted training to those groups dealing with this problem, including law enforcement and judicial personnel, using as far as possible female police officers to assist victims;

"11. Also encourages Member States to consider signing and ratifying or acceding to the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, international agreements on the suppression of slavery and other relevant international instruments;

"12. Invites the High Commissioner for Human Rights to include the trafficking of human beings among his priority concerns;

"13. Invites States Parties to the Convention on the Elimination of All Forms of Discrimination against Women to include information and statistics on trafficking in women and girls as part of their national reports to the Committee on the Elimination of Discrimination against Women, taking into account the general recommendation of the Committee;

"14. Encourages the Inter-agency Committee on Women and Gender Equality to continue to address the issue as part of the integrated follow-up to the Fourth World Conference on Women;

"15. Encourages all Governments to develop methodologies and to collect national information, including statistical data, on trafficking in women and girls in countries with special vulnerability, and to conduct a campaign designed to increase public awareness of the problem;

"16. Welcomes the consideration given to the problems of trafficking in women and girls by the Commission on Crime Prevention and Criminal Justice, and invites the Commission to continue to consider appropriate measures to address this issue;

"17. Requests the Economic and Social Council to include in the agenda of its coordination segment at a future substantive session the issue of the traffic in women and children, with a view to (a) coordinating efforts for the establishment of databases for use in combating the problem, for the adoption of preventive measures and for assisting victims of trafficking, and (b) assessing and coordinating programmes pertaining to the traffic in women and children, to strengthen them and achieve greater efficiency through coordinated action;

"18. Also requests the Economic and Social Council to devote the high-level segment of a future substantive session to the issue of trafficking in women and children, adopting as theme for the meeting 'International cooperation for the prevention and elimination of trafficking in women and children, and the rehabilitation of victims of trafficking';

"19. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution."

11. At its 40th meeting, on 15 November, the Committee had before it a revised draft resolution (A/C.3/51/L.18/Rev.1), submitted by the sponsors of draft resolution A/C.3/51/L.18 and Belgium, Greece, Iceland, Ireland and the Netherlands. Subsequently, Austria, Germany, Italy, Malaysia, Norway, Spain, Sweden and the former Yugoslav Republic of Macedonia joined in sponsoring the revised draft resolution.

12. At the same meeting, the representative of the Philippines orally revised the revised draft resolution, as follows:

(a) In operative paragraph 5, the word "children" was replaced by the word "victims";

(b) In operative paragraph 12, the words "and the Convention on the Rights of the Child" were inserted after the words "Convention on the Elimination of All Forms of Discrimination against Women", and the word "respectively" was added at the end of the paragraph;

(c) In operative paragraph 14, the words "and to conduct a campaign designed to increase public awareness of the problem" were deleted at the end of the paragraph.

13. Also at the same meeting, the Committee adopted draft resolution A/C.3/51/L.18/Rev.1, as orally revised (see para. 25, draft resolution II).

C. Draft resolution A/C.3/51/L.19

14. At the 29th meeting, on 8 November, the representative of New Zealand, on behalf of Afghanistan, Albania, Algeria, Argentina, Antigua and Barbuda, Australia, Austria, the Bahamas, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Burkina Faso, Burundi, Canada, Chile, Colombia, Costa Rica, Cyprus, the Democratic People's Republic of Korea, Denmark, the Dominican Republic, Ecuador, Eritrea, Ethiopia, Fiji, Finland, France, Germany, Greece, Guinea, Guinea-Bissau, Hungary, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kyrgyzstan, Lesotho, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, the Marshall Islands, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Nepal, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Saint Lucia, Samoa, Sierra Leone, Slovenia, Solomon Islands, South Africa, Spain, the Sudan, Swaziland, Sweden, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland, Viet Nam, Zambia and Zimbabwe, introduced a draft resolution entitled "Improvement of the status of women in the Secretariat" (A/C.3/51/L.19). In introducing the draft resolution, the representative of New Zealand orally revised it as follows:

(a) In operative paragraph 6, the words "in administrative instruction ST/AI/412 of 5 January 1996" were replaced by the words "in his report (A/51/304)" and the word "further" was inserted before the words "development of a policy";

(b) A new operative paragraph 9 was inserted after operative paragraph 8, reading:

> "9. Urges the Secretary-General to increase the number of women employed in the Secretariat from developing countries, particularly those that are unrepresented or underrepresented, including at the D-1 level and above, and from countries that have a low representation of women, including countries with economies in transition";

(c) Former operative paragraph 9 was renumbered 10.

15. At the 42nd meeting, on 18 November, the representative of New Zealand further orally revised the draft resolution as follows:

(a) In operative paragraph 6, the words "including through implementation of all appropriate administrative procedures" were replaced by the words "including through training and implementation of all appropriate administrative procedures";

(b) In operative paragraph 7, the words "from within existing resources" were deleted;

(c) In new operative paragraph 9, the words "consistent with Article 101 of the Charter of the United Nations" were inserted after the words "Urges the Secretary-General".

16. Subsequently, Andorra, Azerbaijan, Cameroon, the Congo, Côte d'Ivoire, Egypt, Ghana, Iceland, India, Jamaica, Kazakstan, Kenya, Liberia, Mali, Malta, the Niger, the Philippines, Singapore, the former Yugoslav Republic of Macedonia, Uganda, the United Republic of Tanzania and the United States of America joined in sponsoring the draft resolution, as orally revised.

17. At the same meeting, the Committee adopted draft resolution A/C.3/51/L.19, as orally revised (see para. 25, draft resolution III).

D. Draft resolution A/C.3/51/L.21

18. At the 29th meeting, on 8 November, the representative of Norway, on behalf of Argentina, Australia, Austria, Bangladesh, Barbados, Bolivia, Bulgaria, Burkina Faso, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Hungary, Iceland, Ireland, Italy, Kyrgyzstan, Liechtenstein, Luxembourg, Madagascar, Mongolia, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, the Philippines, Poland, Portugal, the Republic of Moldova, Romania, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Togo, Turkey, Venezuela, Zaire and Zambia, introduced a draft resolution entitled "Convention on the Elimination of All Forms of Discrimination against Women" (A/C.3/51/L.21).

19. At the 46th meeting, on 20 November, the representative of Norway orally revised the draft resolution as follows:

(a) In the third preambular paragraph, the word "stipulated" was replaced by the word "reaffirmed";

(b) In the fourth preambular paragraph, the number "fifty-three" was replaced by the number "fifty-four";

(c) In the sixth preambular paragraph, the words "is the shortest" were replaced by the words "has been the shortest";

(d) In operative paragraph 6, the words "within the overall existing budget" after the words "additional meeting time" were deleted;

(e) In operative paragraph 8, the words "within existing United Nations resources" after the words "ten working days" were deleted.

20. At the same meeting, the Bahamas, Belgium, Bhutan, Burundi, Cape Verde, the Central African Republic, Côte d'Ivoire, Cuba, Guinea-Bissau, Guyana, Kenya, Malta, Namibia, Peru, Rwanda, Solomon Islands, Thailand, the former Yugoslav Republic of Macedonia, Uganda, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and Zimbabwe joined in sponsoring the draft resolution, as orally revised.

21. Also at the 46th meeting, the Secretary of the Committee read out a statement on the programme budget implications of the draft resolution (see A/C.3/51/SR.46).

22. At the same meeting, the Committee adopted draft resolution A/C.3/51/L.21, as orally revised (see para. 25, draft resolution IV).

23. After the draft resolution was adopted, the representative of the United States of America made a statement (see A/C.3/51/SR.46).

E. Draft decision

24. At its 46th meeting, on 20 November, on the proposal of the Chairperson, the Committee took note of the report of the Secretary-General on the Convention on the Elimination of All Forms of Discrimination against Women (A/51/277 and Corr.1) (see para. 26).

RECOMMENDATIONS OF THE THIRD COMMITTEE

25. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Violence against women migrant workers

The General Assembly,

Recalling all previous resolutions on violence against women migrant workers adopted by the General Assembly, the Commission on the Status of Women and the Commission on Human Rights, as well as the Declaration on the Elimination of Violence against Women,[14]

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[14] Resolution 48/104.

Affirming the outcome of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women, specifically as they pertain to women migrant workers,

Noting the holding of the expert group meeting on violence against women migrant workers at Manila from 27 to 31 May 1996, and expressing its appreciation to the Government of the Philippines for hosting the meeting,

Taking note of resolution 1996/12 of the Subcommission on Prevention of Discrimination and Protection of Minorities concerning, inter alia, women migrant workers,

Conscious of the great importance given to the promotion and protection of the human rights of persons belonging to groups that have been rendered vulnerable, including migrant workers, the elimination of all forms of discrimination against them and the strengthening and more effective implementation of existing human rights instruments,

Noting the large numbers of women from developing countries and from some countries with economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of, inter alia, poverty, unemployment and other socio-economic conditions, and acknowledging the duty of sending States to work for conditions that provide employment and security to their citizens,

Acknowledging the economic benefits that accrue to sending and receiving States from the employment of women migrant workers,

Emphasizing the need for accurate, objective and comprehensive information and data as a basis for policy formulation,

Concerned by the continuing reports of grave abuses and acts of violence committed against the persons of women migrant workers by some employers in some host countries,

Encouraged by some measures adopted by some receiving States to alleviate the plight of women migrant workers residing within their areas of jurisdiction,

Reiterating that acts of violence directed against women impair or nullify their enjoyment of their human rights and fundamental freedoms,

1. Takes note of the report of the Secretary-General on violence against women migrant workers;[15]

2. Determines to prevent and eliminate all forms of violence against women and girls;

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[15] A/51/325.

3. Encourages Member States to enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society;

4. Also encourages Member States to adopt and/or implement and periodically to review and analyse legislation to ensure its effectiveness in eliminating violence against women, emphasizing the prevention of violence and the prosecution of offenders, and to take measures to ensure the protection of women subjected to violence and that they have access to just and effective remedies, including compensation and indemnification and healing of victims, and for the rehabilitation of perpetrators;

5. Invites Member States concerned, specifically the sending and receiving States, to consider adopting appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers;

6. Reiterates the need for States concerned, specifically the sending and receiving States of women migrant workers, to conduct regular consultations for the purpose of identifying problem areas in promoting and protecting the rights of women migrant workers and ensuring health, legal and social services for them, adopting specific measures to address those problems, setting up, as necessary, linguistically and culturally accessible services and mechanisms to implement those measures and, in general, creating conditions that foster greater harmony and tolerance between women migrant workers and the rest of the society in which they reside;

7. Encourages Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[16] as well as the Slavery Convention of 1926;[17]

8. Requests the United Nations High Commissioner for Human Rights, the Centre for Human Rights of the Secretariat and the Special Rapporteur of the Commission on Human Rights on violence against women, as well as all relevant bodies and programmes in the United Nations system, when addressing the issue of violence against women, to give particular attention to the issue of violence perpetrated against women migrant workers;

9. Invites Member States, as well as relevant international organizations, to provide their views and comments to the Secretary-General on the issue of indicators as a basis for addressing the situation of women migrant workers, as contained in the report of the Secretary-General;[15]

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[16] Resolution 45/158, annex.

[17] See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.94.XIV.1 (vol. I, Part I)).

10. Also invites the Administrative Committee on Coordination, within its mandate, to examine how to improve coordination within the United Nations system on the question of violence against women migrant workers;

11. Invites the regional commissions and the regional offices of the International Labour Organization to examine ways and means, within their mandates, of dealing with concerns pertaining to women migrant workers;

12. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution, including the reports received from all authorities and bodies in the United Nations system, Member States, intergovernmental organizations and other concerned bodies, with due regard for possible measures to improve reporting procedure.

DRAFT RESOLUTION II

Traffic in women and girls

The General Assembly,

Reaffirming the principles set forth in the Universal Declaration of Human Rights,[18] the Convention on the Elimination of All Forms of Discrimination against Women,[19] the International Covenants on Human Rights,[20] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[21] the Convention on the Rights of the Child[22] and the Declaration on the Elimination of Violence against Women,[14]

Recalling the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others[23] and taking note of the comments contained in the report of the Secretary-General,[24]

Recalling all previous resolutions on the problem of the traffic in women and girls,

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[18] Resolution 217 A (III).

[19] Resolution 34/180, annex.

[20] Resolution 2200 A (XXI), annex.

[21] Resolution 39/46, annex.

[22] Resolution 44/25, annex.

[23] Resolution 317 (IV).

[24] A/51/309.

Affirming the provisions of the outcome of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders pertaining to the traffic in women and children,

Acknowledging the work done by intergovernmental and non-governmental organizations in compiling information on the scale and complexity of the problem of trafficking, in providing shelters for trafficked women and children and in effecting their voluntary repatriation to their countries of origin,

Noting with concern the increasing number of women and girl children from developing countries and from some countries with economies in transition who are being victimized by traffickers, and acknowledging that the problem of trafficking also victimizes young boys,

Convinced of the need to eliminate all forms of sexual violence and sexual trafficking, including for prostitution and other forms of commercial sex, which are violations of the human rights of women and girl children and are incompatible with the dignity and worth of the human person,

Realizing the urgent need for the adoption of effective measures nationally, regionally and internationally to protect women and girl children from this nefarious traffic,

1. Takes note with appreciation of the report of the Secretary-General on the traffic in women and girls;[24]

2. Welcomes the convening of the World Congress against Commercial Sexual Exploitation of Children at Stockholm from 27 to 31 August 1996;[25]

3. Calls upon Governments of countries of origin, transit and destination, and regional and international organizations, as appropriate, to implement the Platform for Action of the Fourth World Conference on Women[26] by:

(a) Considering the ratification and enforcement of international conventions on trafficking in persons and on slavery;

(b) Taking appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing the perpetrators, through both criminal and civil measures;

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[25] See A/51/385.

[26] A/CONF.177/20, chap. I, resolution 1, annex II.

(c) Stepping up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;

(d) Allocating resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance and confidential health care and taking measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;

(e) Developing educational and training programmes and policies and considering enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children;

4. Invites Governments to accord standard minimum humanitarian treatment to trafficked persons, consistent with human rights standards;

5. Also invites Governments, with the support of the United Nations, to formulate manuals for the training of personnel who receive and/or hold in temporary custody victims of gender-based violence, including trafficking, with a view to sensitizing them to the special needs of victims;

6. Encourages, in this regard, relevant United Nations organizations and bodies, including the International Research and Training Institute for the Advancement of Women, the United Nations Development Fund for Women and the United Nations Educational, Scientific and Cultural Organization, to contribute to the preparation of guidelines for the use of Governments in the elaboration of their manuals, in cooperation with all relevant intergovernmental and non-governmental organizations, including those concerned with traumatic stress, taking into account existing research material or studies in the subject;

7. Calls upon all Governments to criminalize trafficking in women and girls in all its forms and to condemn and penalize all those offenders involved, including intermediaries, whether their offence was committed in their own or in a foreign country, while ensuring that the victims of these practices are not penalized, and to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody;

8. Urges Governments concerned to support comprehensive practical approaches by the international community to assist women and children victims of transnational trafficking to return home and be reintegrated in their home societies;

9. Invites relevant intergovernmental and non-governmental organizations to provide advisory services to Governments, upon their request, in planning and setting up rehabilitation programmes for victims of trafficking and in training personnel who will be directly involved in the implementation of those programmes;

10. Encourages Governments, institutions and non-governmental organizations to take preventive and assistance measures, including by

establishing helplines to enable victims or potential victims of trafficking to seek assistance, and to provide targeted training to those groups dealing with this problem, including law enforcement and judicial personnel, using as far as possible female police officers to assist victims;

11. Invites the United Nations High Commissioner for Human Rights, in addressing the obstacles to the realization of the human rights of women, in particular, through his contacts with the Special Rapporteur of the Commission on Human Rights on violence against women and the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography, to include the traffic in women and girls among his priority concerns;

12. Invites States parties to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child to include information and statistics on trafficking in women and girls as part of their national reports to the Committee on the Elimination of Discrimination against Women, taking into account the general recommendation of the Committee, and to the Committee on the Rights of the Child, respectively;

13. Encourages the Inter-agency Committee on Women and Gender Equality to continue to address the issue as part of the integrated follow-up to the Fourth World Conference on Women;

14. Encourages all Governments to develop methodologies and to collect national information, including statistical data, on trafficking in women and girls in countries with special vulnerability;

15. Also encourages countries with special vulnerability to conduct campaigns designed to increase public awareness of the problem;

16. Welcomes the consideration given to the problems of trafficking in women and girls by the Commission on Crime Prevention and Criminal Justice, and invites the Commission to continue to consider appropriate measures to address this issue;

17. Welcomes the decision of the Economic and Social Council to devote its coordination segment of 1997 to mainstreaming a gender perspective;

18. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

DRAFT RESOLUTION III

Improvement of the status of women in the Secretariat

The General Assembly,

Recalling Articles 1 and 101 of the Charter of the United Nations, as well as Article 8, which provides that the United Nations shall place no restrictions

on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

Recalling also its resolutions 45/125 of 14 December 1990 and 45/239 C of 21 December 1990, as well as the relevant paragraphs of the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995,[27]

Concerned at the serious and continuing underrepresentation of women in the Secretariat, particularly at the D-1 level and above, where the numbers of women remain unacceptably low,

1. Welcomes the report of the Secretary-General;[28]

2. Also welcomes the achievement of the goal of 35 per cent overall participation rate of women in posts subject to geographical distribution;

3. Reaffirms the goal of 50/50 gender distribution by the year 2000, and expresses its concern that this goal may not be met, especially at policy-making and decision-making levels (D-1 and above);

4. Calls upon the Secretary-General to ensure full and urgent implementation of the strategic plan of action for the improvement of the status of women in the Secretariat (1995-2000)[29] in order to achieve the goal contained in the Platform for Action adopted by the Fourth World Conference on Women for overall gender equality, particularly at the Professional level and above, by the year 2000;

5. Requests the Secretary-General to ensure that individual managers are held accountable for implementing the strategic plan within their areas of responsibility;

6. Also requests the Secretary-General to continue his work to create a gender-sensitive work environment, including through training and implementation of all appropriate administrative procedures, in particular the special measures outlined in his report,[28] and through further development of a policy on sexual harassment;

7. Further requests the Secretary-General to enable the Focal Point for Women effectively to monitor and facilitate progress in the implementation of the strategic plan;

8. Strongly encourages Member States to support the strategic plan and the efforts of the United Nations and the specialized agencies to increase the percentage of women in Professional posts, especially at the D-1 level and above, by identifying and regularly submitting more women candidates and by

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[27] Ibid., annexes I and II.

[28] A/51/304.

[29] A/49/587 and Corr.1, sect. IV.

encouraging women to apply for posts within the Secretariat, specialized agencies and regional commissions;

9. Urges the Secretary-General, consistent with Article 101 of the Charter of the United Nations, to increase the number of women employed in the Secretariat from developing countries, particularly those that are unrepresented or underrepresented, including at the D-1 level and above, and from countries that have a low representation of women, including countries with economies in transition;

10. Requests the Secretary-General to report on progress made on the status of women in the Secretariat to the Commission on the Status of Women at its forty-first session and to the General Assembly at its fifty-second session.

DRAFT RESOLUTION IV

Convention on the Elimination of All Forms of Discrimination against Women

The General Assembly,

Bearing in mind that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms for all without distinction of any kind, including distinction as to sex,

Affirming that women and men should participate equally in social, economic and political development, should contribute equally to such development and should share equally in improved conditions of life,

Recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[10] in which the Conference reaffirmed that the human rights of women and the girl-child were an inalienable, integral and indivisible part of universal human rights,

Welcoming the growing number of States parties to the Convention on the Elimination of All Forms of Discrimination against Women,[11] which now stands at one hundred and fifty-four,

Having considered the reports of the Committee on the Elimination of Discrimination against Women on its fourteenth[12] and fifteenth[13] sessions,

Noting that the number of reports to the Committee has increased as a result of the growing number of States parties to the Convention, and that the annual session of the Committee has been the shortest of all the annual sessions

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[10] A/CONF.157/24 (Part I), chap. III.

[12] Official Records of the General Assembly, Fiftieth Session, Supplement No. 38 (A/50/38).

[13] Ibid., Fifty-first Session, Supplement No. 38 (A/51/38).

of the human rights treaty bodies, thus creating a considerable backlog of reports submitted but not considered,

1. Urges all States that have not yet ratified or acceded to the Convention on the Elimination of All Forms of Discrimination against Women to do so as soon as possible, so that universal ratification of the Convention can be achieved by the year 2000;

2. Emphasizes the importance of full compliance by States parties with their obligations under the Convention;

3. Urges States to limit the extent of any reservations they lodge to the Convention, to formulate any such reservations as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;

4. Invites States parties to the Convention to make all possible efforts to submit their reports on the implementation of the Convention in accordance with article 18 thereof and with the guidelines provided by the Committee on the Elimination of Discrimination against Women, and to cooperate fully with the Committee in the presentation of their reports;

5. Urges States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by a two-thirds majority of States parties can be reached as soon as possible in order for the amendment to enter into force;

6. Approves the request made by the Committee and supported by the States parties to the Convention for additional meeting time so as to allow the Committee to hold two sessions annually, each of three weeks' duration, preceded by a pre-session working group, starting from 1997 for an interim period;

7. Welcomes the report of the Open-ended Working Group of the Commission on the Status of Women on the elaboration of a draft Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;[1]

8. Decides to authorize the Open-ended Working Group to meet for ten working days, in parallel with the Commission on the Status of Women at its forty-first session;

9. Requests the Secretary-General to submit to the General Assembly at its fifty-third session a report on the status of the Convention and the implementation of the present resolution under the appropriate agenda item.

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[1] Official Records of the Economic and Social Council, 1996, Supplement No. 6 (E/1996/26), annex III.

26. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Report of the Secretary-General on the Convention on the Elimination of All Forms of Discrimination against Women

The General Assembly takes note of the report of the Secretary-General on the Convention on the Elimination of All Forms of Discrimination against Women.[14]

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[14] A/51/277 and Corr.1.